



RULES AGENDA: 6/5/2019
ITEM:

Memorandum

TO: RULES AND OPEN GOVERNMENT COMMITTEE **FROM:** Councilmember Sylvia Arenas
Councilmember Magdalena Carrasco
Councilmember Dev Davis
Councilmember Maya Esparza
Councilmember Pam Foley

SUBJECT: SEE BELOW **DATE:** May 30, 2019

Approved

Date

5-30-19

SUBJECT: RESPONSE TO RISE IN SEXUAL ASSAULTS IN SAN JOSE

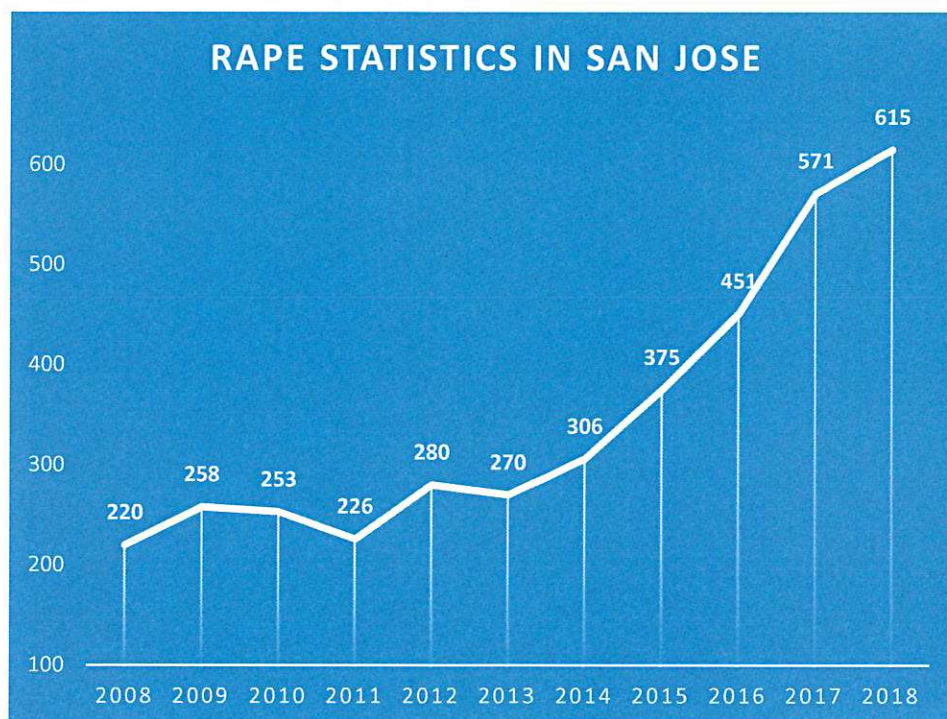
RECOMMENDATIONS

- 1) Agendize a series of public hearings on the rise in reports of sexual and relationship based violence in San Jose and the City Administration's work to respond to it, including:
 - a. Making the June 20th, 2019 PSFSS Committee meeting also a committee of the whole meeting to allow all interested members of the City Council the opportunity to hear the Administration's review and response to the recommendations of the joint meeting between PSFSS and Santa Clara County Board of Supervisors' Children, Seniors and Families Committee, held on April 15th, 2019.
 - b. Schedule a City Council Study Session in September 2019 to inform the whole city council and mayor of sexual assault patterns and statistics.
 - c. Plan an additional joint meeting with the Santa Clara County Board of Supervisors' Children, Seniors and Families Committee to assist in continued coordination between the City and County agencies.
- 2) Request the Administration's response and strategy to the rise of sexual assaults be reported to Council as an info memo this summer, for early review before the Study Session. This report should include process improvements to address intersectional issues of domestic violence and human trafficking when possible, including strangulation evidence, collection and other key improvements that were brought forward at the joint meeting.
- 3) Formalize a Sexual Assault working group between the City Administration and the County Executive, as well as any other relevant agencies.

BACKGROUND

On April 15, 2019, San Jose City Council's PSFSS Committee joined the Santa Clara County Board of Supervisors Committee on Children, Seniors, and Families to discuss Sexual Assaults and the intersecting violent crimes of Domestic Violence and Human Trafficking. An outcome of that meeting was initial steps to system improvements. Both councilmembers and supervisors requested that their administrations and committees bring forward next steps to adopt recommendations and continue meeting to discuss how to address this critical and growing problem.

As the below chart shows, in the last 10 years, the number of rapes reported in San Jose has almost tripled, while the increase in total violent crime has not gone beyond a 20% increase. Reported rapes account for half of the entire increase in violent crimes in San Jose from 2008 to 2018.



This chart just tracks rape, as defined by the FBI, excluding other forms of sexual assault and violence against women and children. Additionally, the clearance rates for sexual assaults has dropped to a rate of 6.7% for 2018-2019 which is half the rate from 2017-2018 (12.5%) (Per San Jose Proposed Operating Budget, 2019-2020).

Children are often left out of the discussion on sexual assault. However, nearly 50% of all female rape survivors were victimized before the age of 18. Because of the intersectionality of these

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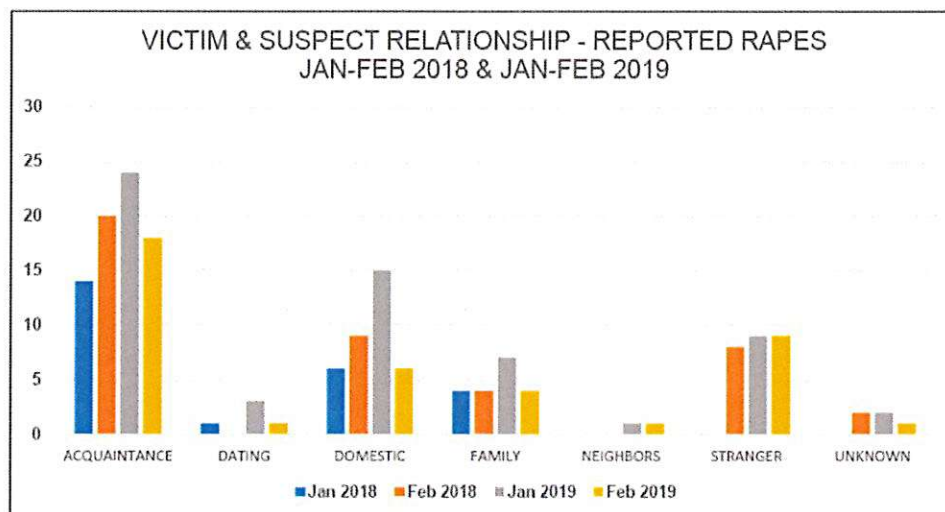
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crimes, a strategy on sexual assault that does not include domestic violence and human trafficking is not a complete strategy.

As we track these alarming statistics, we must find the most efficient strategy to increase the clearance rate, convict those committing violence against children, women, and other vulnerable populations, and find a coordinated approach to the interrelated crimes of sexual assault, domestic violence, and human trafficking.

The intersectionality of the interrelated crimes is evident as acquaintance relationships and remain highest among victim and suspect relationships. Approximately eight in ten sexual assaults are committed by someone known to the victim, such as in the case of sexual molestation, acquaintance rape and domestic sexual violence.



The second highest victim and suspect relationship is domestic based. In the last five years, the Santa Clara County Districts Attorney's office has gained a better understanding of the lethality of domestic violence and strangulation cases which do not involve a visible external injury. In 2017, San Jose's zip codes with the highest domestic violence cases filed included 95111, 95112, 95113, 95122, and 95127.

It has been raised that this reporting increase can be attributed to the way some sexual assaults crimes have been recategorized as rapes or a rise in victims coming forward to report violence and that the rise in reports is a net positive to society. If this were to be true, it makes it even more important to immediately bring forward a strategy to continue increasing the reporting trend among all genders and communities and to resolve these reported crimes when victims are courageously coming forward to report them.

Often ignored or not spoken of is the violence experienced by the LGBTQ+ community. This community is extremely susceptible to these crimes; transgender people and bisexual women face some of the most staggering rates of sexual violence. A glimpse into the numbers identified in a 2010 report from the CDC provide startling statistics:

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- 44 percent of lesbians and 61 percent of bisexual women experience rape, physical violence, or stalking by an intimate partner.
- 40 percent of gay men and 47 percent of bisexual men have experienced sexual violence other than rape, compared to 21 percent of heterosexual men

Among transgender people and bisexual women who experience sexual violence it begins early, often during childhood.

The aforementioned three-fold increase in sexual assault reported crimes means a three-fold increase in crimes to solve. We need to take a survivor-centric and trauma informed approach that prioritizes continued police force capacity building and solving sexual assault reported cases.

We appreciate the Administration's commitments to bring forward further hearings and a formal strategy to address this issue. It is imperative that we move resolutely to adopt these next steps formally and make this an issue that cannot return to the background.

We deeply appreciate the priority that the County and community advocates have taken. We bring this memo forward to the Rules Committee to ensure that the City takes a leadership position on this issue this year.

The signers of this memorandum have not had, and will not have, any private conversation with any other member of the City Council, or that member's staff, concerning any action discussed in the memorandum, and that each signer's staff members have not had, and have been instructed not to have, any such conversation with any other member of the City Council or that member's staff